

ORIGINAL

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF NEW YORK

Victor Manuel HERNANDEZ,)
Plaintiff,)

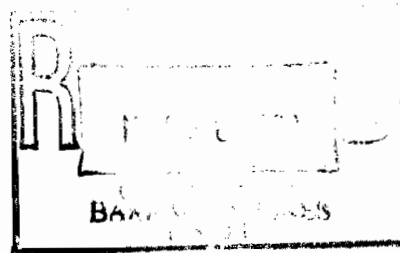
v.)

GERARD HEINAUER;)
Director, Nebraska Service Center;)
DR. EMILIO T. GONZALES,)
Director, U. S. Citizenship &)
Immigration Services;)
MICHAEL CHERTOFF,)
Secretary, U. S. Department of)
Homeland Security,)
Defendants,)

Civil Action
07-CV-7157

**STIPULATION AND
ORDER OF DISMISSAL**

(Jones, B)



It is hereby stipulated and agreed by and between the parties to this action that this action be dismissed pursuant to Rule 41 of the Federal Rules of Civil Procedure. This dismissal is with prejudice.

Each party is to bear its own costs, fees, including attorney's fees, and disbursements.

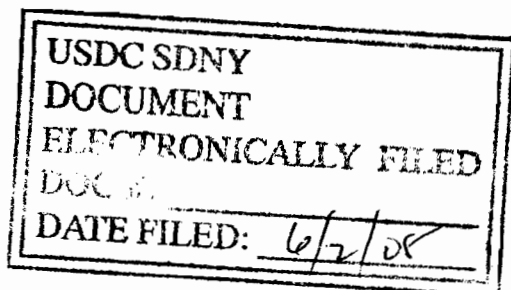
The clerk shall enter judgement in accordance with this Stipulation and Order of Dismissal.

Dated: Brooklyn, New York

April 22, 2008

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M. J. Harris
 MATTHEW J. HARRIS, of Counsel
 Law Offices of Eric Wuestman
 57 Montgomery Place
 Brooklyn, New York 11215
 (718) 622-4104
 Attorney for Petitioner



Dated: New York, New York
May 27, 2008

MICHAEL J. GARCIA
United States Attorney
Southern District of New York
86 Chambers Street
New York, NY 10007

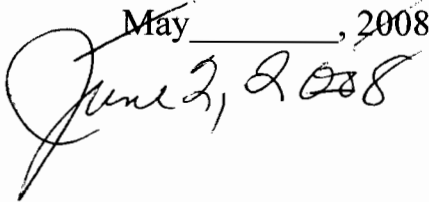
By: 

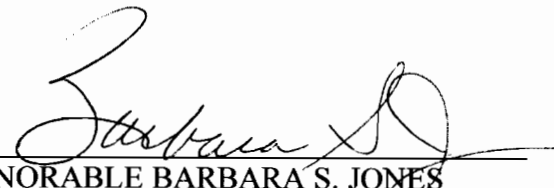
JAMES LORREST, ESQ.
Special Assistant United States Attorney
(212) 637-2786

SO ORDERED:

Dated: Brooklyn, New York

May , 2008




HONORABLE BARBARA S. JONES
United States District Judge